

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI  
SOUTHERN DIVISION**

<b>DALY, et al.</b>	§	<b>PLAINTIFFS</b>
	§	
<b>v.</b>	§	<b>CAUSE NO. 1:06CV663 LG-JMR</b>
	§	
<b>SOUTHERN CREDIT RECOVERY, INC., et al.</b>	§	<b>DEFENDANTS</b>
	§	

**ORDER OF DISMISSAL**

This cause is before the court, *sua sponte*, after the Plaintiffs failed to respond to the Court's January 24, 2008 Order to Show Cause requiring them to show cause, on or before February 4, 2008, why this action should not be dismissed for failure to prosecute. Plaintiffs had been ordered to explain why they had not initiated the case management conference call scheduled for January 9, 2008.

Fed. R. Civ . P. 41(b) provides that "[f]or failure of the plaintiff to prosecute or to comply with these rules or any order of court, a defendant may move for dismissal of an action or of any claim against the defendant." The Court may also *sua sponte* dismiss the action for failure to prosecute or for failure to comply with a court order. *Larson v. Scott*, 157 F.3d 1030, 1031 (5th Cir. 1998). Plaintiffs have failed to comply with this Court's orders. The Court is therefore of the opinion that Plaintiffs' complaint should be dismissed pursuant to FED. R. CIV. P. 41(b).

**IT IS THEREFORE ORDERED AND ADJUDGED** that Plaintiffs'

complaint is **DISMISSED** pursuant to FED. R. CIV. P. 41(b).

**SO ORDERED AND ADJUDGED** this the 21<sup>st</sup> day of February, 2008.

s/ *Louis Guirola, Jr.*

LOUIS GUIROLA, JR.  
UNITED STATES DISTRICT JUDGE